

EXHIBIT 498

1 UNITED STATES DISTRICT COURT

2 FOR THE NORTHERN DISTRICT OF OHIO

3 EASTERN DIVISION

4 - - -

5 IN RE: NATIONAL PRESCRIPTION

6 OPIATE LITIGATION Case No.

7 1:17-MD-2804

8 APPLIES TO ALL CASES Hon. Dan A.

9 Polster

10 Case No. 1:17-MD-2804

11 - - -

12 January 17, 2019

13 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER

14 CONFIDENTIALITY REVIEW

15 Videotaped deposition of

16 DOUGLAS BOOTHE, held at 250 Hudson Street,

17 New York, New York, commencing at 9:00 a.m.,

18 on the above date, before Marie Foley, a

19 Registered Merit Reporter, Certified

20 Realtime Reporter and Notary Public.

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22 GOLKOW LITIGATION SERVICES, INC.

23 877.370.3377 ph | 917.591.5672 fax

24 Deps@golkow.com

1 was at the pharmacy level or at the
2 wholesale level, ended up going somewhere
3 else than where it was ended to go, which
4 would be outside or after the chain of
5 custody that we had for the product, that
6 would be my understanding of diversion.

7 Q. So, what was your understanding
8 of Actavis's responsibilities under the
9 law with respect to preventing diversion
10 of opioids?

11 MS. WELCH: Objection to form.

12 MR. DIAMANTATOS: Objection to
13 form; foundation.

14 MS. WELCH: Objection to the
15 extent it calls for a legal
16 conclusion.

17 MR. DIAMANTATOS: Asked and
18 answered.

19 BY MS. BAIG:

20 Q. Using your definition of
21 diversion.

22 MS. WELCH: Same objections.

23 A. Again, I don't think we had
24 responsibility for, accountability for

1 preventing diversion. We had
2 responsibility and accountability for
3 making certain that the orders that we
4 received were valid from licensed
5 pharmacies and were within our suspicious
6 order monitoring thresholds as it was
7 described earlier then with the Buzzeo
8 model or the more statistical model. So
9 we -- that was our responsibility.

10 Once it goes outside of our
11 chain of custody, we have no capability or
12 responsibility or accountability to -- or
13 at least my understanding, I'm not a
14 lawyer, as it relates to diversion. So,
15 once we ship a valid order to a wholesaler
16 or ship a valid order to a distributor or
17 another smaller wholesaler, our chain of
18 custody is finished at that point.

19 Q. You had an understanding that
20 Actavis was required to have a suspicious
21 order monitoring program in place,
22 correct?

23 A. Yes.

24 Q. And, did you understand that